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Attorneys for Defendant TRAVELERS PROPERTY
CASUALTY COMPANY OF AMERICA,
formerly known as THE TRAVELERS
INDEMNITY COMPANY OF ILLINOIS

UNITED STATES DISTRICT COURT OF CALIFORNIA
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MELROZ LORTON LIMITED
PARTNERSHIP, LP, a California Limited
Partnership,

Case No. C 04-04431 PJH ARB

Plaintiff,

**STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL WITH
PREJUDICE**

vs.

THE TRAVELERS INDEMNITY COMPANY
OF ILLINOIS, a corporation,

Defendant.

1. WHEREAS, the parties to this action have reached a settlement and placed the terms of the settlement on the record on May 26, 2005; and

2. WHEREAS, Plaintiff Melroz Lorton Limited Partnership, LP has agreed to dismiss this action in its entirety, with prejudice, under Federal Rules of Civil Procedure, Rule 41(a)(1); and

3. WHEREAS, the parties will execute a Mutual Settlement Agreement and Release in Full; and

4. WHEREAS, the parties to this action agree that each side is to bear its own fees and costs in this matter; and

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
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EMERYVILLE, CALIFORNIA 94608
(510) 740-1500

5. The parties to this action agree, through their respective attorneys, that Plaintiff Melroz Lorton Limited Partnership, LP hereby dismisses this action in its entirety, with prejudice.

DATED: July 5, 2005

RUDLOFF WOOD & BARROWS LLP

By: Marjie D. Barrows
Marjie D. Barrows

Attorneys for Defendant TRAVELERS
PROPERTY CASUALTY COMPANY OF
AMERICA, formerly known as THE TRAVELERS
INDEMNITY COMPANY OF ILLINOIS

DATED: May 24, 2005

LAW OFFICE OF ROBERT C. CHILES

By: Robert C. Chiles
Robert C. Chiles

Attorney for Plaintiff MELROZ LORTON
LIMITED PARTNERSHIP, L.P.

ORDER

The Court has considered the above stipulation and, IT IS SO ORDERED.

DATED: July 7, 2005

Phyllis J. Hamilton
The Honorable Phyllis J. Hamilton

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